

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
AUGUST 25, 2011**

PRESENT: Jeffrey Cohen, Chair; Jeffrey Dearing, Vice Chair; Brian Gildea, Clerk; Angelo Colasante

ABSENT: Kenneth Gordon; Carol Amick; Stephen Henning

PRESENTATION: Mr. Dearing read the notice of the hearing.

PETITION #005-12 – F.W. Webb, 160 Middlesex Turnpike, seeks a Special Permit per Sections 7.1.2 of the Zoning By-Law to construct addition within front yard setback.

Mr. Gildea reminded the Board members that he had recused himself from the F.W. Webb hearing at the last meeting, because he has had both professional and personal dealings with J.M. Coull – the construction company working on this project – in the past. Mr. Cohen said this presents a problem, because there are only four members present at this meeting and without Mr. Gildea, there will not be a sufficient quorum for this petition. There was discussion about whether Mr. Gildea had enough of a conflict to stay recused or whether he would feel comfortable voting. Mr. Cohen said the Board always leaves it up to the applicant to decide and never wants to put another Board member in an uncomfortable position.

Mr. Colasante suggested opening the next hearing to give a fourth voting member a chance to arrive, if by any chance another member is late.

PRESENTATION: Mr. Gildea read the notice of the hearing.

PETITION #029-11 – CONTINUATION – Fastsigns of Waltham, for Bedford Professional Building, 50 Loomis Street, seeks a Special Sign Permit per Article 40.4 Section 3 (A) of the Sign By-Law to split and increase size of wall sign.

Mr. Cohen read an email from the FastSigns of Waltham representative, requesting to withdraw this application from the Zoning Board. Mr. Cohen asked for a motion to withdraw the petition.

MOTION:

Mr. Gildea moved to withdraw without prejudice the application for Fastsigns of Waltham, for Bedford Professional Building, 50 Loomis Street, seeking a Special Sign Permit per Article 40.4 Section 3 (A) of the Sign By-Law to split and increase size of wall sign.

Mr. Dearing seconded the motion.

Voting in favor: Cohen, Dearing, Gildea, and Colasante

Voting against: None

Abstained: None

The motion carried unanimously, 4-0-0.

MOTION:

Mr. Dearing moved to reopen the public hearing for F.W. Webb, 160 Middlesex Turnpike.

Mr. Colasante seconded the motion.

Voting in favor: Cohen, Dearing, and Colasante

Voting against: None

Abstained: None

Recused: Gildea

The motion carried unanimously, 3-0-0.

Mr. Gildea stated that he would feel more comfortable staying recused from this hearing. The Board talked with the applicants about the next hearing date and what would be a convenient time for them to return. The applicants agreed that the next scheduled hearing date, September 8, would be sufficient.

MOTION:

Mr. Dearing, Acting Clerk, moved to continue F.W. Webb, 160 Middlesex Turnpike, seeking a Special Permit per Sections 7.1.2 of the Zoning By-Law to construct addition within front yard setback to September 8, 2011 at 7:30 PM.

Mr. Colasante seconded the motion.

Voting in favor: Cohen, Dearing, and Colasante

Voting against: None

Abstained: None

Recused: Gildea

The motion carried unanimously, 3-0-0.

Mr. Cohen apologized to the applicants that the hearing could not be held tonight, and said they would see them again in two weeks.

PRESENTATION: Mr. Dearing read the notice of the meeting.

PETITION #003-12 – CONTINUATION – F.W. Webb, 160 Middlesex Turnpike, seeks a Variance from Section 6.2.6 of the Zoning By-Law and from Table II Use Regulations to construct addition within front yard setback.

MOTION:

Mr. Dearing moved to continue F.W. Webb, 160 Middlesex Turnpike, seeking a Variance from Section 6.2.6 of the Zoning By-Law and from Table II Use Regulations to construct addition within front yard setback to September 8, 2011 at 7:30 PM.

Mr. Colasante seconded the motion.

Voting in favor: Cohen, Dearing, and Colasante

Voting against: None

Abstained: None

Recused: Gildea

The motion carried unanimously, 3-0-0.

MOTION:

Mr. Gildea moved to adjourn the meeting.

Mr. Dearing seconded the motion.

Voting in favor: Cohen, Dearing, Gildea, and Colasante

Voting against: None

Abstained: None

The motion carried unanimously, 4-0-0.

The meeting adjourned at 7:50 PM.



Jeffrey Cohen, Chair

9/22/11

Date

Respectfully Submitted,

Scott Gould
ZBA Assistant